

United States Courts
Southern District of Texas
FILED

AUG 15 2019

A091 (Rev. 8/01) Criminal Complaint

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Collie Hollie Jr.

CRIMINAL COMPLAINT

Case Number: C-19-3195M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about August 15, 2019 in Brooks County, in the Southern District of Texas defendant, Collie Hollie Jr.

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324.
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit of U.S. Border Patrol Agent

Gilbert Ruiz

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

August 15, 2019

Date

Jason B. Libby U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Gilbert Ruiz
Signature of Complainant
Gilbert Ruiz
Printed Name of Complainant

Corpus Christi, Texas
City and State
Gilbert Ruiz
Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

Probable Cause/Facts:

On August 15, 2019, Border Patrol Agent (BPA) R. San Pedro was assigned primary inspection duties at the United States Border Patrol Checkpoint near Falfurrias, Texas. BPA canine handler R. Sowell was utilizing his service canine to conduct free air sniffs of vehicles approaching the primary inspection area. At approximately 12:55 a.m., a blue Peterbilt tractor pulling a white Utility trailer approached the primary inspection area.

The vehicle was driven by Collie Hollie Jr. While conducting his inspection, BPA San Pedro noticed the curtain divider in the cab was closed and asked Hollie if he would allow him to take a look. Hollie opened the curtain only slightly, which was not enough for BPA San Pedro to see what was inside. BPA San Pedro asked Hollie where he was going and what he was hauling. Hollie replied that he was traveling to Houston, Texas, and handed BPA San Pedro the Bill of Lading. BPA San Pedro noticed Hollie's hands shaking as he was handed the document. BPA San Pedro also noticed that Hollie had recently lit a cigarette and interpreted these actions as nervous behavior.

At this time, BPA San Pedro was informed by BPA Sowell that his service canine had alerted to the cab of the tractor. Hollie stated, "No" when asked if anyone else was in the cab prior to being directed to the secondary inspection area.

Once at the secondary inspection area, Hollie was instructed to exit the vehicle. A search of the cab revealed a total of six individuals concealed in the sleeper area. The subjects were questioned regarding their citizenship, and all admitted to being Mexican nationals illegally present in the United States. Hollie and the smuggled aliens were placed under arrest and taken into the checkpoint for further investigation.

A temperature reading of 95.2 degrees Fahrenheit was recorded in the cab.

Miranda Rights:

Hollie and the smuggled aliens were read their Miranda Rights in their preferred languages. Hollie and the smuggled aliens acknowledged understanding their rights and were willing to provide statements without the presence of an attorney.

Defendant - Collie Hollie Jr. Statement:

Hollie stated he departed Houston at 1:30 a.m., on August 14, 2019, and dropped off a load of animal food in the Rio Grande Valley. Hollie then loaded the trailer in Harlingen prior to stopping at a Stripes gas station in Edinburg, Texas. He claimed to have purchased a coffee before driving north to the Falfurrias, Texas Checkpoint.

Material Witness - #1: Francisco Javier Alvarez-Ramos Statement:

Alvarez-Ramos stated that he illegally entered the United States near McAllen, Texas, and was held at an apartment for 5 days. At 11:30 p.m. on August 14th, Alvarez-Ramos was driven to a Stripes and the vehicle parked on the side of the store. The driver of the vehicle instructed Alvarez-Ramos and the others to get inside a blue tractor-trailer that was parked on the opposite side of the store. The group was further instructed to walk in pairs and enter the cab through the driver side door.

Alvarez-Ramos recalled the tractor engine was off when he entered and that the Hollie entered a few minutes later. After entering the cab, Hollie instructed the group in English where to hide. They departed the gas station and traveled for about 50 minutes until arriving at the checkpoint. Approximately 10 minutes prior to arriving at the checkpoint, Hollie signaled them to cover up. Alvarez-Ramos disclosed that tractor did not have air conditioning. Alvarez-Ramos was able to identify Hollie as the driver of the tractor.

Material Witness - #2: Marco Antonio Herrera-Paredes Statement:

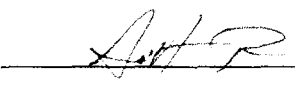
Herrera-Paredes stated that he illegally entered the United States a week prior, and was taken to a house and later a hotel. On August 14th, he was taken to a gas station where the tractor-trailer was parked. Herrera-Paredes also recalled being instructed to walk towards the tractor and enter the cab through the driver's door. Immediately after the group entered the cab, a black male arrived. Herrera-Paredes acknowledged that he was able to understand what the driver was telling them. The driver instructed the subjects where to hide and to cover themselves with blankets. The driver then started the tractor and they began to drive towards the checkpoint without making any stops. Herrera-Paredes denied that he was able to identify the driver.

Summary of Smuggled Aliens' Statements:

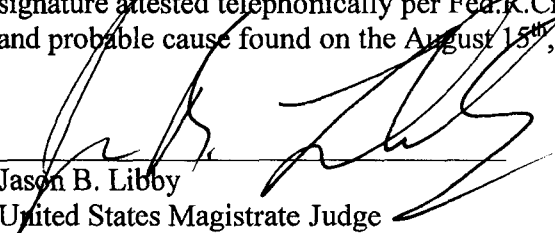
None of the additional smuggled aliens provided exculpatory statements, and identified Hollie as the driver.

Disposition:

The facts of this case were presented to Assistant United States Attorney Yifei Zheng who accepted Collie Hollie Jr. for prosecution for violating Title 8 USC 1324, Alien Smuggling. Francisco Javier Alvarez-Ramos and Marco Antonio Herrera-Paredes will be held as material witnesses in this case. The remaining smuggled aliens were processed accordingly.


Gilbert Ruiz
Border Patrol Agent

Submitted by reliable electronic means, sworn to,
signature attested telephonically per Fed.R.Crim.P.4.1,
and probable cause found on the August 15th, 2019.


Jason B. Libby
United States Magistrate Judge